

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

YVONNE BELANGER, individually and  
on behalf of other similarly situated individuals,

Plaintiff,

vs.

Civ. No. 19-317 WJ/SCY

ALLSTATE FIRE AND CASUALTY INSURANCE  
COMPANY; ALLSTATE INDEMNITY  
INSURANCE COMPANY; ALLSTATE  
INSURANCE COMPANY; and ALLSTATE  
PROPERTY AND CASUALTY INSURANCE  
COMPANY,

Defendants.

**ORDER ADOPTING PROPOSED FINDINGS AND RECOMMENDATION**

This matter is before the Court on Magistrate Judge Steven C. Yarbrough's November 21, 2024 Proposed Findings and Recommended Disposition ("PFRD"). Doc. 14. In that PFRD, Judge Yarbrough recommends that the Court grant in part the Unopposed Motion and Memorandum of Law in Support of Class Plaintiffs' Petition for Award of Attorneys' Fees, Costs, and Award of Incentive Fee to Named Plaintiff (Doc. 97), and award attorneys' fees, inclusive of taxes and costs, in the amount of \$893,611.43 and an incentive fee to the named Plaintiff in the amount of \$10,000.00. Doc. 116 at 44. Judge Yarbrough notified the parties that they had 14 days from service of the PFRD to file any objections to the PFRD. *Id.* The parties have not filed any objections to the PFRD, thereby waiving their right to review of the proposed disposition. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). Furthermore, upon review of the PFRD, the Court concurs with Judge Yarbrough's findings and recommendation.

**IT IS THEREFORE ORDERED THAT:**

1. The Court ADOPTS Judge Yarbrough's Proposed Findings and Recommended Disposition (Doc. 116);
2. The Unopposed Motion and Memorandum of Law in Support of Class Plaintiffs' Petition for Award of Attorneys' Fees, Costs, and Award of Incentive Fee to Named Plaintiff (Doc. 97) is GRANTED IN PART AND DENIED IN PART as follows:
  - a. Plaintiff's counsel is awarded attorneys' fees, inclusive of taxes and costs, in the amount of \$893,611.43;
  - b. and the named Plaintiff is awarded an incentive fee in the amount of \$10,000.00.

**IT IS SO ORDERED.**

/s/  
WILLIAM P. JOHNSON  
CHIEF UNITED STATES DISTRICT JUDGE